

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
Civil Action No.: 5:12-CV-00729-D

TERESA M. SPEAKS, TOBY SPEAKS, )  
STANLEY SMITH, EDDIE BROWN, ROBERT )  
POINDEXTER, MIKE MITCHELL, ROY L. )  
COOK, ALEX SHUGART, N. RANDY WOOD )

Plaintiff, )

vs. )

U.S. TOBACCO COOPERATIVE, INC., )  
Formerly the FLUE-CURED TOBACCO )  
COOPERATIVE STABILIZATION )  
CORPORATION, )

Defendant. )

**ORDER**

**THIS CAUSE** coming on for hearing before the undersigned upon Joint Stipulation and Motion for Temporary Stay of the Plaintiffs and Defendant, and the Court being of the opinion, for good cause shown, that the Motion for Temporary Stay should be allowed.

**NOW, THEREFORE, WITH THE STIPULATION AND CONSENT OF THE PARTIES** it is hereby ordered, adjudged and decreed, that there shall be a temporary stay of this matter for a period of up to ninety (90) days, pending a determination of the class certification motion pending in the Superior Court Division of Wake County, North Carolina, or thirty (30) days from the date that any further order regarding class certification is entered in that matter, whichever first occurs (the "Temporary Stay"). Upon expiration of the Temporary Stay, and unless further extended by Order of this Court, the Plaintiff shall have a period of thirty (30) days thereafter to amend their pleadings, if they so desire. The Defendants shall thereafter have a period of thirty (30) days from the date of service of any amended pleadings or from service of

notice that Plaintiffs do not intend to amend their pleadings to file responsive pleadings or to otherwise plead.

**IT IS FURTHER ORDERED** that the Stipulation and Motion does not constitute a waiver of any defenses that the Defendant may have to Plaintiffs' Complaint, nor a waiver by the Plaintiff of any position or claim it may have

SO ORDERED. This 17 day of December 2012.

  
JAMES C. DEVER III  
Chief United States District Judge